

By Mr. Nourse of Medfield, petition of William F. Nourse for clarification of the causes for which licenses of driving schools or instructors' certificates of such schools may be suspended or revoked. Highways and Motor Vehicles.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT TO CLARIFY THE CAUSES FOR WHICH THE LICENSE OF A DRIVER SCHOOL OR AN INSTRUCTOR'S CERTIFICATE OF SUCH SCHOOL MAY BE SUSPENDED OR REVOKED.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 32G of chapter 90 of the General
2 Laws, inserted by chapter 563 of the acts of 1953, is
3 hereby amended by striking out the fourth paragraph
4 and inserting in place thereof the following paragraph: —
5 The registrar may suspend or revoke a license or
6 refuse to issue a renewal thereof for any of the following
7 causes:— (a) The conviction of the licensee or any
8 partner, officer, agent or employee of such licensee, of
9 a felony, or of any crime involving violence, dishonesty,
10 deceit, indecency, degeneracy or moral turpitude;
11 (b) where the licensee has made a material false state-
12 ment or concealed a material fact in connection with
13 his application for the license or a renewal thereof;
14 (c) where the licensee has failed to comply with any of
15 the provisions of this section or any of the rules and
16 regulations of the registrar made pursuant thereto;
17 (d) where the licensee or any partner, officer, agent or
18 employee of such licensee has been guilty of fraud or
19 fraudulent practices in relation to the business con-
20 ducted under the license, or guilty of inducing another
21 to resort to fraud or fraudulent practices in relation to

22 securing for himself or another a license to drive a motor
23 vehicle; (e) for any other good cause. The term "fraud-
24 ulent practices" as used in this section shall include, but
25 shall not be limited to, any conduct or representation
26 on the part of the licensee, or any partner, officer, agent
27 or employee of a licensee, tending to induce another or
28 to give the impression that a license to operate a motor
29 vehicle, or any other license, registration or service
30 granted by the registrar may be obtained by any means
31 other than those prescribed by law, or furnishing or
32 obtaining the same by illegal or improper means, or
33 requesting, accepting, exacting or collecting money for
34 such purpose.

1 SECTION 2. Section 32G of chapter 90 of the General
2 Laws is hereby amended by striking out the eleventh
3 paragraph and substituting therefore the following
4 paragraph: —

5 The registrar may suspend or revoke an instructor's
6 certificate for any of the following causes: — (1) expira-
7 tion, suspension or revocation of the operator's license
8 of such instructor; (2) such instructor has failed to
9 comply with the rules and regulations prescribed by
10 the registrar; (3) conviction of such instructor of a
11 felony or any crime involving violence, dishonesty, de-
12 ceit, indecency, degeneracy or moral turpitude; (4) such
13 instructor has been guilty of fraud or fraudulent prac-
14 tices; and (5) for any other good cause. An instructor
15 whose certificate has been suspended or revoked shall
16 be entitled to a hearing upon his written request therefor.